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ABSTRACT

The purpose of AB 3408 is 1) to create public dialogue and systematic accountability at the local level regarding the skills high school graduates should possess, and 2) to encourage schools to focus attention on students who have difficulty mastering reading, writing, or mathematics skills. The legislation requires all school districts maintaining junior and senior high schools to adopt proficiency standards by June 1978 in reading, writing, and mathematics. Districts are required to assess students at least once in the junior high school years and twice in grades ten through twelve to determine whether each student is meeting the required standards. AB 3408 also requires the State Department of Education to provide, by February 1, 1978, an "assessment framework" to help local districts develop their own assessment standards and procedures. The bill permits school districts to adopt differential standards and assessment procedures for students with diagnosed learning disabilities. However, the definition of learning disability does not include students who have limited English-speaking ability.
(Author/JG)

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SPECIAL REPORT

U S DEPARTMENT OF HEALTH, EDUCATION & WELFARE
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By Gary K. Hart, Assemblyman
35th District
California State Legislature

Vol. 6, No. 7

THE NEW PUPIL PROFICIENCY LAW AS VIEWED BY ITS AUTHOR

(EDITOR'S NOTE: Since the adoption of Assembly Bill 3408, a flurry of questions, concerns and opinions have appeared in the educational arena. In this Special Report, Gary Hart explains the WHY behind the legislation, answers some of those questions, and shares some of his gut feelings about proficiency standards.)

In the latest Gallup Poll on Public Attitudes Toward Education, citizens were asked, "What do you think would do most to improve the quality of public school education overall?" A majority answered, "Devote more attention to teaching basic skills." Another question asked, "Should all high school students in the United States be required to pass a standard nationwide examination in order to get a high school diploma?" Sixty-five percent of the respondents answered "Yes." Clearly, many believe that schools should do more to assist students to master basic skills.

I share this concern as a result of a personal experience. In my first year of teaching, I used a standard textbook to teach a senior geography class. About one-fifth of my students did not know how to read, and they could not handle the work; therefore, I could not in good conscience give them a passing grade. Yet, these students were high school seniors and I did not want to be responsible single-handedly for preventing them from graduating. I asked some senior faculty members what I should do. They explained that if a student came to class and was not disruptive, he or she was to receive a passing grade. With a great deal of professional discomfort, I went along with that system, but I always felt we were doing a tremendous disservice to those youngsters.

As result of my personal experience and public concern I introduced AB 3408 in the California Legislature. The purpose of the legislation is two-fold. First, to create a public dialogue and systematic accountability at the local level regarding the skills high school graduates should possess. Second, to encourage schools to focus attention on students who have difficulty mastering reading, writing or mathematics skills.

The legislation requires all school districts maintaining junior and senior high schools to adopt proficiency standards by June 1978 in reading, writing and mathematics. School districts are required to assess students periodically, at least once in the junior high school years and twice in grades ten through eleven, to determine whether each student is meeting the required standards. In the case of a student

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who has not mastered basic skills, the principal is to arrange a conference with the classroom teacher, the student and the student's parents to discuss the assessment results. This is required to impress upon the student and parents the seriousness of the problem and to devise an instructional program to assist the student. Starting in July 1980, school districts are not to award a high school diploma to any student who has not met the locally adopted proficiency standards.

AB 3408 also requires the State Department of Education to provide, by February 1, 1978, an "assessment framework" to help districts develop their local assessment standards and procedures. No school district is required to use the sample exercises distributed by the State Department, but we do want to assist districts, particularly small ones, that seek help. The Department will distribute a guide, including a review of steps necessary to implement the bill, by September 1, 1977. A resource catalog, including materials from districts which have successfully implemented competency-based instruction, will be disseminated by September 15, 1977. Sample assessment exercises will be distributed by January 15, 1978.

Since AB 3408 became law, I have talked to groups across the State and received many letters. Several questions are asked frequently about the law. I would like to respond specifically to some of these.

What are the options available to students who are denied a high school diploma?

Young people may enroll in summer school or adult school to receive needed instruction. Persons 18 years old or older may enroll in California community colleges without possessing a high school diploma. Legislation was enacted last year to allow persons 16 years or older to take the California High School Proficiency Examination; those who successfully pass this exam receive the legal equivalent of a high school diploma.

If appropriate instructional and counseling procedures are developed, almost all students should master the basics by the end of the twelfth grade. Those who do not may be motivated after some time away from school to pursue one of the options above. I have found that some educators believe that any graduation standard is a disservice to young people. I believe to the contrary, that lack of standards and appropriate assistance is the greatest disservice of all.

Should students with learning disabilities be exempted from the proficiency standards?

This is a difficult question. On the one hand, I want to restore meaning to the high school diploma; on the other hand, to grant exemptions waters down the standards. However, some educationally handicapped students, no matter how hard they try, may not meet minimal standards of proficiency. I feel that these students should not be penalized as long as they are making an effort to meet the standards. The bill therefore permits (but does not require) school districts to adopt differential standards and assessment procedures for students with diagnosed learning disabilities. The State Department of Education will include in its September 1, 1977, mailing a recommended definition of "diagnosed learning disabilities" consistent with applicable State and Federal laws. The definition of learning disability does not include students who have limited English speaking ability.

Should limited English speaking youngsters be required to meet proficiency standards in English?

If young people are to survive in a culture which is for the most part monolingual English, I believe mastery of basic skills should be in English. Too often limited English speaking students are awarded a diploma only to learn that they do not have the skills to fill out a job application or read an instruction manual. Bilingual instruction may be needed, of course, for limited and non-English speaking youngsters. However, since required assessments are for the purpose of guiding instruction, these

tests should be in English. Testing in the native language of a limited English speaking pupil would not give teachers information needed to tailor instruction for that child.

Why doesn't the bill include the necessary funds for program implementation?

The legislation contains $250,000 to cover the cost of notification to parents, and $175,000 for the State Department of Education to develop sample test items. An earlier version of the bill also carried a $5 million appropriation to reimburse districts for costs involved in conducting pupil assessments. These funds were removed in the Assembly Ways and Means Committee, over my objection, on the grounds that basic skills training and assessment is a primary responsibility of schools and should be funded from existing State and local resources. In fact, we had to work very hard in the Legislature just to keep the amount of money that ultimately was allocated. Nevertheless, I am concerned that additional resources may be needed. Given the attention AB 3408 has received since enactment and increasing concern regarding basic skills, perhaps the Legislature will see fit to provide a supplemental appropriation, something I favor.

As the June 1978 deadline for standard setting approaches, I have several concerns regarding implementation of AB 3408.

Proficiency standards should be established with the active involvement of teachers, parents, principals, students and counselors. It is very important to foster a consensus in the community concerning which skills are necessary and at what level standards should be set. If the school district merely contracts with a professional group to develop a test or adopts the State Department's examples, many people in the community may feel left out of this decision-making process. Teachers and parents may fight a prepackaged problem presented to them as a **fait accompli**, thus risking efforts to integrate basic skills training in the instructional program. In setting standards school districts should listen very carefully to the school community.

Many people mistakenly interpret AB 3408 as primarily a testing bill. The law requires not merely an assessment but a systematic process to identify, teach and counsel students so they may achieve the required level of proficiency. It is important that testing facilitate rather than control the process by which districts set proficiency standards. Proficiency assessments should relate directly to the standards set by districts. Locally developed criterion tests are probably the best way to ensure that tests relate directly to the skills identified by the governing board. Assessments should measure the progress of each student in acquiring these identified skills rather than the student's performance relative to his or her classmates. To establish an arbitrary passing score based on a norm could by definition doom some students to failure.

Districts should be modest in their efforts to establish standards. Unless the district has substantial experience with competency-based instruction, only a small number of competencies in each of the three basic skill areas should be identified. Once necessary changes in the curriculum and in counseling efforts are made, competencies in other aspects of the curriculum can be identified at the option of the district. At the same time, districts should be realistic in their expectations. Some districts are requiring students to meet very high standards in a short period of time. My bias is to set standards relatively low at first and raise the standards when there is assurance that the curriculum and teaching strategies support the higher standard.

Finally, I am concerned about what might be called the "back to basics mentality." We need objective standards for achievement in the basic skill areas, but competency-based instruction should not be implemented at the expense of flexibility, of creativity and of innovation. Basic skills are most effectively taught when integrated throughout the entire curriculum. Art and social studies, for example, can be used very effectively to communicate basic skills. Community-based study that includes

work in reading, writing or mathematics can motivate many students to excel in the basics. AB 3408 is not meant to encourage school districts to collapse the curriculum or abandon creative approaches to learning.

AB 3408 is a first step. It is an effort to encourage a public dialogue on the meaning of a high school diploma and to encourage schools to focus attention on youngsters who need extra help to master reading, writing and mathematics skills. It is a beginning, not an end, and I want to monitor it very carefully. We have a tendency in the Legislature to see a problem, pass a law and then go on to something else. To a certain extent, we have to go on to something else, but I think those of us who have a primary interest and involvement in writing a bill have the responsibility to communicate with those entrusted with its implementation. Working together we can ensure that it works properly. This can only be done with your assistance and cooperation.

As with any new public policy that affects literally millions of young people and school personnel, problems in the law may emerge and modifications may be necessary. I feel confident that if educators provide the necessary leadership, constructive change will take place in our schools and, just as importantly, in public attitudes toward public education.

(Readers may also wish to refer to an earlier Special Report consisting of an interview with Gary Hart and Don McKinley, Chief Deputy Superintendent, State Department, on their impression of AB 3408.)

"Special Reports" are intended to present information of a practical value to school administrators in California. It should be recognized that (a) the applicability and value of such information may vary from district to district in a state as diverse as California, and (b) the viewpoints expressed in "Special Reports" are those of the authors and not necessarily those of the Association of California School Administrators.